

S. B. No. 250, A bill to be entitled "An Act to amend Section 50a, Chapter 100, Acts of the Regular Session of the Thirty-second Legislature, relating to the authority of commissioners courts to create county line school districts; so as to authorize boards of county school trustees to create such districts and prescribing the manner whereby such districts may be created, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BEE, Chairman.

Committee Room,  
Austin, Texas, January 31, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 230, A bill to be entitled "An Act to validate county line school district No. 14, lying in Comanche and Eastland Counties, under the control of Comanche County and to validate the consolidation of what was heretofore Common School District No. 14 of Comanche County with Common County Line School District No. 67, lying in Comanche and Eastland Counties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

BEE, Chairman.

Committee Room,  
Austin, Texas, January 31, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 226, relating to the term of office of the criminal district attorney of Harris County, Texas,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the following committee substitute do pass in lieu thereof, and be not printed.

PAGE, Chairman.

Committee Room,  
Austin, Texas, January 31, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 134, A bill regulating real estate and stock commission dealers,

Has had the same under consideration, and I am instructed to report same back to the Senate, with the recommendation that it do pass.  
PAGE, Chairman.

# EIGHTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, February 1, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

By unanimous consent, the Chair announced that the Senate would stand at ease for thirty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson, of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.

Absent—Excused.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

**Petitions and Memorials.**

Senator Strickland, by unanimous consent, offered a communication concerning the confirmation of the appointment of C. W. Woodman as Labor Commissioner.

While the same was being read, Senator Bailey made the point of order that no Senator has any right to present in open session any communication or matter of any kind whatsoever relating to business pending in executive session.

The Chair sustained the point of order, holding that these communications can be presented only in executive session of the Senate.

**Committee Reports.**

See Appendix for all committee reports in full.

**Simple Resolution No. 54.**

(By unanimous consent.)

Whereas, Hon. C. W. Nugent, now of Houston, Texas, and a distinguished former member of this body, is present in the city; therefore be it

Resolved, That the privileges of this floor be extended to Senator Nugent and that he be invited to address the Senate.

DEAN.  
WESTBROOK.  
LATTIMORE.  
HUDSPETH.

The resolution was read and adopted.

Ex-Senator Nugent addressed the Senate briefly.

**Bills and Resolutions.**

By Senator Suiter:

S. B. No. 276, A bill to be entitled "An Act to establish a junior Agricultural and Mechanical College of Texas in each senatorial district of Texas except the senatorial district in which the present Agricultural and Mechanical College is situated; providing for the location of such colleges; their government and control and correlating the same with the Agricultural and Mechanical

College of Texas; defining the leading objects of such junior colleges and prescribing the nature and general scope of instruction to be given in such colleges; conferring upon the Board of Directors of the Agricultural and Mechanical College the authority to manage and control said junior colleges; making necessary appropriations for the location, establishment and maintenance of said colleges; providing that the Board of Directors of the Agricultural and Mechanical College shall constitute the Board for locating the said junior Agricultural and Mechanical Colleges and shall have authority to receive suitable donation of land from individuals or the community in which said colleges are located, as may be necessary for the establishment and maintenance of said junior Agricultural and Mechanical Colleges, giving said board the right of eminent domain, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bailey:

S. B. No. 277, A bill to be entitled "An Act to further the fish and oyster industry in this State by providing for the lease by the Game, Fish and Oyster Commission to parties applying therefor, lands belonging to the State along the Gulf Coast below the line of ordinary high tide for the purpose of erecting thereon wharves, docks and buildings upon such terms and for such consideration as may be decided upon, not to exceed a term of ninety-nine years; to amend Article 909 of the Penal Code of the State of Texas, 1911, as amended by Chapter 135 of the Acts of the Thirty-third Legislature prescribing the size of certain fish that may be taken; to amend Article 4019 of the Revised Civil Statutes of Texas, 1911; prescribing the terms upon which permits shall be granted for the dredging of oyster reefs, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 278, A bill to be entitled "An Act amending Articles 2440, 2441, 2442, 2443, 2444 and 2445, Chapter 2, Title 44, of the Revised Civil Statutes of the State of Texas

of 1911, providing for county depositories; providing that the amount of the bond of the county depository shall in no event be for less than the total amount of revenue of the county for the next preceding year; adding Article 2443a, providing and requiring special additional bonds to cover any or all special funds, including the sale, or sales, of bonds belonging to the county, or a subscription thereof; providing for the substitution of bonds under the provisions of this Act for bonds now in existence; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Buchanan of Scurry:

S. B. No. 279, A bill to be entitled "An Act making it an offense for any person who is treasurer of any school district in this State, or for any officer, director, stockholder, agent or employe of any corporation that is the treasurer or depository of any school district in this State to fraudulently take, misapply or convert to his own use any of the money, property or other things of value belonging to such district, or to secrete the same with intent to take, misapply or convert to his own use, or to pay or deliver the same to any person knowing that he is not entitled to receive it; prescribing a penalty, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dayton:

S. B. No. 280, A bill to be entitled "An Act to amend Articles 1063 of the Revised Penal Code of Texas, 1911, etc."

Read first time and referred to Committee on Criminal Jurisprudence.

#### Simple Resolution No. 55.

By Senators Henderson, Hudspeth, Bailey, Clark, Floyd, King, Caldwell, Dayton, Parr, McNealus, Buchanan of Bell, Woodward, Decherd, Page, McCollum, Smith, Bee, Hall, Gibson, Johnston of Harris:

Resolved: That, whereas, there are a number of bills pending before the Senate, the purpose of which is

to create utility commissions and other methods of regulating public utilities; and,

Whereas, It is the sense of this Senate that no further offices should be created without first having the consent of the people, who are to pay the necessary expense of maintaining the offices created under said bills; now, therefore, be it

Resolved, That if any such legislation is to be considered, the same be first submitted to the people through a constitutional amendment providing for such commission, whereby the people may have the right themselves to pass upon the question of creating more offices. Be it further

Resolved, That it is the sense of this Senate that no other legislation along said lines be considered save through an amendment to the Constitution, except a Highway Commission.

The resolution was read.

Pending.

#### Adjournment.

At 12:15 o'clock, on motion of Senator Clark, the Senate adjourned until 10 o'clock a. m. tomorrow.

#### APPENDIX A.

##### Petitions and Memorials.

Senator Gibson offered a petition from the railroad employes of Paris, Texas, asking his support of the Car Shed Bill.

A numerous signed petition to Senator Westbrook, was offered, asking him to oppose any bill regulating the sale of medicines, etc., by rural peddlers.

Senator Dayton sent up petitions from the citizens of Grayson County, protesting against the passage of a bill prohibiting the sale of medicines, etc., by wagons throughout the rural districts.

Petitions to Senators Alderdice, Dayton and Smith, were offered, from members of the medical societies, requesting that they use their influence against the proposed Optometry Bill.

A telegram to Senator Buchanan of Bell was read, relating to the

above Optometry Bill. Numerously signed.

A letter was read from Atkinson & Lowrey, cotton brokers of New Orleans, relating to a House bill changing the laws as regards trading in future contracts.

Senator Dayton offered a petition asking him to oppose the closing season on quail for five years.

Senator Lattimore offered a telegram from the Equal Suffrage Society of Corpus Christi, asking support for the Woman Suffrage Bill.

A letter from the Suffrage Association of Temple to Senator Lattimore, was read, expressing their appreciation for the efforts he has made in giving the women the right to vote.

A petition to Senator Dayton from Fort Worth, was read, asking him to oppose the Chiropractic Bill.

A letter to Senator Dayton from Collinsville, Texas, was offered, protesting against the passage of the "Nichols Bill," permitting towns of 5000 population to govern their own amusements.

Senator Smith sent up and had read a letter signed "A Texas Woman," impressing upon the legislators the right of woman suffrage.

Senators Caldwell and Dayton sent up a petition protesting against the five-year closed season on hunting and the proposed bill prohibiting the use of repeating guns.

Telegrams to Senators King and Dayton from Beaumont and Denison were read, urging the confirmation of the appointment of C. W. Woodman as Labor Commissioner.

Senators Parr and Bailey offered petitions protesting against the Tick Eradication Bill.

Senator Gibson offered two telegrams from Dallas citizens who are opposed to the amendment of the Workmen's Compensation Act.

Senator Hudspeth offered a petition numerously signed by citizens of Medina County urging their senator to support the Prohibition Submission Amendment.

#### Committee Reports.

Committee Room,  
Austin, Texas, February 1, 1917.  
Hon. W. P. Hobby, President of the Senate.  
Sir: We, your Committee on

Counties and County Boundaries, to whom was referred

S. B. No. 235, A bill to be entitled "An Act to amend Section 23, Chapter 75, General Laws of Texas, creating Duval and other counties, approved February 1, 1858; and to amend Section 1, Chapter 73, General Laws of Texas, creating Jim Hogg County, approved March 31, 1913, the purpose of this Act being to change the boundary line between Duval and Jim Hogg counties so as to conform to the result of elections duly called and held in said counties on the 6th day of January, 1917, the returns of which have been duly estimated, tabulated, certified to, sealed, endorsed and transmitted to the Speaker of the House of Representatives of the State of Texas, in the manner and form prescribed by law, whereby certain territory was detached from Duval County and attached to Jim Hogg County; to repeal all laws in conflict herewith and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

PARR, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, February 1, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 125, A bill to be entitled "An Act to require the owner, agent, or lessee of any land or any present interest therein, on which any stream is located in whole or in part, which overflows its banks and floods the land of other persons under, cultivation, to keep the timber, underbrush and drifts cleared out of the channels and off the shoals of such creek, making the failure to do so a misdemeanor, prescribing a penalty, fixing damages, and the venue of suits for the recovery thereof, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

## (Minority Report.)

Committee Room,  
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, the minority of your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 125,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

KING, for the Minority.

## (Floor Report.)

Senate Chamber,  
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 57, A bill to be entitled "An Act to amend Chapter 60 of the Acts of the Thirty-third Legislature, passed at its regular session and approved March 20, 1913, providing for a special road law for Hunt County,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Johnston of Harris, Chairman, Hall, Bee, Page, Lattimore, King, McNealus.

## NINETEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, February 2, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Decherd.
Bailey.	Floyd.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Harley.
Caldwell.	Henderson.
Clark.	Hopkins.
Dean.	Johnson of Hall.

Johnston of Harris. Parr.

King. Robbins.

Lattimore. Smith.

McCollum. Strickland.

McNealus. Westbrook.

Page. Woodward.

Absent.

Dayton. Hudspeth.

Absent—Excused.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

## Message From the House.

Hall of the House of Representatives,  
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 111, A bill to be entitled "An Act to regulate, control and license pool halls and billiard halls in the State of Texas and to provide for bond of the keepers of such halls before license will be issued, and making it a misdemeanor to operate such halls without complying with the terms hereof, and providing punishment for running or operating such halls without first obtaining a license; to repeal Chapter 74 of the General Laws of Texas of the Thirty-third Legislature passed in 1913," with engrossed rider.

H. B. No. 271, A bill to be entitled "An Act to create a more efficient road system for Hopkins County, making the county commissioners of said county road commissioners and prescribing their duties as such, etc.; providing for overseers or road keepers, etc.; providing for the employment of county convicts and their compensation; providing for the employing of delinquent poll tax payers and a penalty for their failure to work on county roads of Hopkins County; providing that this Act shall take the place of and repeal all other special road laws heretofore passed for the benefit of Hopkins County public roads, and declaring an emergency."